

ITEM NO.5

COURT NO.6

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 5701/2021

(Arising out of impugned final judgment and order dated 02-12-2020  
in BA No. 1970/2020 passed by the High Court Of Delhi At New Delhi)

MOHD. ABDUL REHMAN

Petitioner(s)

VERSUS

STATE OF GNCT DELHI

Respondent(s)

Date : 14-12-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Trideep Pais, Adv.  
Mr. Sarim Naved, Adv.  
Ms. Anshu Davar, Adv.  
Mr. Aakarsh Kamra, AOR  
Ms. Sanya, Adv.  
Mr. Shahid Ansari, Adv.  
Mr. Kamran Javed, Adv.

For Respondent(s) Mr. S.V. Raju, Ld. ASG  
Ms. Sairica Raju, Adv.  
Ms. Manjula Gupta, Adv.  
Mr. Rajat Nair, Adv.  
Mr. Sandeep Kumar Mahapatra, Adv.  
Mr. B. V. Balaram Das, AOR

UPON hearing the counsel the Court made the following  
O R D E R

We have heard learned counsel for parties and perused the status report of the Learned District and Sessions Judge, Patiala House Court, New Delhi in pursuance of order dated 04.10.2021. The learned District and Sessions Judge points out that out of 87 prosecution witnesses in the instant case, 14 of them

have been examined and it will take about 15 months to examine the remaining 73 witnesses considering the nature of evidence and cross examination of the said witnesses.

Learned District and Sessions Judge also points out that he is a designated Court for dealing with Unlawful Activities (Prevention) Act, Prevention of Money Laundering Act, The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, cases investigated by the Special Cell, Delhi Police, Electricity Act, Official Secrets Act, Drugs and Cosmetics Act and SEBI Act. There are 649 matters pending in that Court as on 12.10.2021, out of which 4 are time bound. In 142 cases, accused person are in judicial custody, 9 cases are related to various bomb blasts in Delhi and in 5 connected cases pertaining to serial bomb blasts in Greater Kailash, Connaught Place, India Gate and Karol Bagh, there are 1030 total prosecution witnesses and that case is being taken up on every Saturday but till date only 257 witnesses have been examined.

In the totality of circumstances, it has been stated that even if the case is taken up on a weekly basis, it would require at least one year and six months to dispose of the present case.

We are of the view merely because the learned Judge concerned in the cases is the District and

Sessions Judge, it cannot imply that he is burdened more than necessary or we lay down impractical time lines. It does appear to us that the High Court needs to have a re-look on the assignment of cases to facilitate a speedier trial and thus, we call upon the High Court to examine whether the cases including the present one can be distributed to facilitate conclusion of trial on an early date. The High Court to take necessary steps.

In the meantime, learned Judge will endeavour to do whatever is possible considering already the pending cases before him.

List for further proceedings on 08.03.2022.

A report be submitted by the Registrar of the Delhi High Court.

(ASHA SUNDRIYAL)  
ASTT. REGISTRAR-cum-PS

(POONAM VAID)  
COURT MASTER (NSH)